Appendix III.

***Vide* Answer to Question No. 58.**

Statement showing the distance from Vadakkal and other places in the Alleppey *pakuthi* to the Alleppey Munsiff's Court and the Ambalapuzha Munsiff's Court, respectively.

From			To Alleppey Munsiff's Court.	Distance.	To Ambalapuzha Munsiff's Court.
Vadakkal	Miles	...	3	Miles	5
Vandanom	,,	...	5	,,	3
Punnapara	,,	...	4	,,	4
Paroor	,,	...	4	,,	4
Kalarcode	,,	...	3	,,	5
Kythavana	,,	...	2	,,	6
Thiruvampadi	,,	...	2	,,	6

LEGISLATIVE BUSINESS.

THE TRAVANCORE RUBBER CONTROL BILL.—(*concluded*)

Clause 4.

MR. S. J. NAIR (*Nedumangad*):

I was speaking last evening on my amendment to sub-clause (1) of Clause 4.

The object of my amendment is that whenever one finds it necessary to cultivate rubber plants, he may get the necessary sanction to do so. This would give an equal chance for all cultivators of the State to take to the cultivation of rubber, whether he be a planter or not. Sir, according to the International Rubbber Restriction Scheme, it is intended to regulate the production and export of rubber. Even if this clause is amended, as I propose it to be amended, it would not in any way infringe the conditions of that agreement at all. I find that it would help the ordinary cultivators in the State to continue cultivation of rubber in a moderate and modest scale. So I move this amendment for the acceptance of this House.

The amendment fell through for want of seconding.

The question that clause 4 do stand part of the Bill was put to vote and carried.

The Clause was added to the Bill.

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Clause 5.

MR. S. J. NAIR (*Nedumangad*): Sir, I move that —

Clause 5 be deleted and the subsequent clauses be re-numbered appropriately

Clause 5 in this Bill is capable of doing much mischief to the interests of the agriculturists in this State and also to the planters themselves. They are not given the freedom of choice to cultivate their lands as they please. In other words, this provision cuts the fundamental rights of the citizens to the root in their choice to cultivate their lands as they please, to plant any plant in their land as they desire. In Travancore the rubber plantation had been done in the first instance at the instance of the European Planters. They were the pioneers in the field of Rubber Plantations and we are much thankful for the demonstrations that they have set up in Travancore in this direction of agriculture. They have shown that there is the possibility of such an agricultural industry in this State. But when Travancoreans also found that of all the cultivations in the State rubber planting is the most profitable avocation in life, they too began to pursue that cultivation. But even now the major portion of the area under rubber plantations is in the hands of the European Planters. So in the interests of the ordinary agriculturists in the State, I humbly submit to this House that Clause 5 may be deleted from this Bill.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): Sir, I support the amendment, but on grounds different from those advanced by Mr. S. J. Nair. The House will remember that yesterday I moved an amendment to effect a modification, in Clause 2, sub-clause (*e*), with regard to the provision for the explanation of the word "replant"? I would have opposed if all areas which were under cultivation at one time were allowed to be replanted according to the provision mentioned in Section 5. But that argument was opposed by saying that only areas consisting of thirty rubber plants per acre are to be considered as an estate. What is the meaning of the term "to replant" Does it not presuppose that there was already an existing plantation? To say that only an area consisting of thirty rubber plants per acre alone should be permitted to be replanted seems to me, Sir, rather a very hard provision. It eventually brings out a case, wherein a man who has lost everything is not given any protection, whereas a man who has been able to save a few trees is given the benefit of the law.

As conditions now stand there is no necessity for any further extension of cultivation unless it be to give some help to those who suffered heavy loss during depression time owing to neglect or misfortune.

I could have supported a provision prohibiting replanting altogether. This provision enabling some persons to replant with permission, I take it, is intended, to safeguard the interests of those who have lost the money that they had invested. But the definition contained in Clause 2 (*e*) takes away that right so far as those persons who have unfortunately lost all their plants are concerned. Therefore I do not see why this Clause should find a place in this Bill.

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Already we have more plants than we need, and we are thinking of restrictions. Therefore I do not see why there is any necessity to allow replanting at all. The provision appears to be a little bit incongruous. I would therefore oppose it.

With these words, I support the amendment.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I oppose this amendment. At the outset I may say that this amendment defeats the very object of this Bill. Clause 3 which has already formed part of the Bill says:

> "So long as this Regulation remains in force, no person shall plant rubber plants in any land, or replant any land with rubber plants, save in pursuance of a written permission granted by or on behalf of the Committee under this Regulation".

So, unless there is a provision in this Bill for permission being granted for replanting, we would in effect be absolutely prohibiting replanting. Therefore, now that we have passed Clause 3, Clause 5 is absolutely necessary.

MR. K. M. KURIAKOSE (*Muvattupuzha II*): When already we have enough of rubber plantations, where is the necessity to allow replanting?

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): My friend should have proposed an amendment to Clause 3 when that was before the House. Now we have adopted Clause 3. Therefore Clause 5 is necessary.

Apart from that, replanting is to be allowed only subject to certain conditions. Those conditions are laid down in sub-clauses (*a*) and (*b*) of Clause 5. Those sub-clauses are mere reproductions of the terms of the agreement entered into under the International Rubber Restriction Scheme. Having been a party to that agreement, we have to enact the necessary legislative provisions to carry out the terms of the agreement. This is all that is proposed to be done. I may inform the House that the provision also is exactly the same as the one contained in the British Indian Enactment. I therefore oppose the amendment.

The amendment was put to the vote of the House and lost.

The question that Clause 5 do stand part of the Bill was put to vote and carried.

The Clause was added to the Bill.

Clauses 6 to 19.

The question that Clauses Nos. 6 to 19 do stand part of the Bill was put to vote and carried.

The Clauses were added to the Bill.

Preamble.

The question that the Preamble do stand part of the Bill was put to vote and carried.

The Preamble was added to the Bill.

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Title.

MR. S. J. NAIR (*Nedumangad*): Sir, I move that:—

The word 'temporary' be added between the words 'the' and 'control' in line 1.

I want the Title to read as follows:—

"A Regulation to provide for the *temporary* control of the extension of the cultivation of rubber in Travancore and for certain connected matters."

As it is, it would appear that the enactment is a permanent measure, restricting the right of the people to cultivate rubber for all time to come. Sir, rubber cultivation, it has been found, is the only profitable agricultural pursuit in the State. It is therefore not desirable that the people are permanently shut out from it. That would be a great hardship and severe injustice and handicap.

It has been stated in the Reasons and Objects of this Bill that the Bill has been introduced on behalf of the Government in order to honour the agreement that the Government have entered into with the British Indian Government in the matter of the International Rubber Restriction Scheme. Certainly, that agreement must be honoured; and the Law Member was quite right in bringing forward this measure. We also agree. But once the agreement has been honoured, why should the rights of the people be restricted for ever?

PRESIDENT: Does the honourable member suggest that by changing the title of the Bill, as he now proposes, the provisions of the Bill would be altered?

MR. S. J. NAIR (*Nedumangad*): That is my humble view, Sir (*Laughter*).

The amendment fell through for want of seconding.

The question that the Title do stand part of the Bill was put to vote and carried.

The Title was added to the Bill.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): No amendment having been made at the second reading, I beg to move that the Bill be finally passed.

MR C. V. CHANDRASEKHARAN (*Ag. Director of Public Instruction*): I second it.

The motion was put to vote and carried.

The Bill was passed.

THE TRAVANCORE ANCIENT MONUMENTS PRESERVATION BILL.

MR KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Sir, I beg to present the report of the Select Committee on the Travancore Ancient Monuments Preservation Bill, and beg to move that the Bill as reported be taken into consideration.

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